

IC 9-14-3

Chapter 3. Records

IC 9-14-3-0.3

"Digital signature" defined

Sec. 0.3. As used in this chapter, "digital signature" has the meaning set forth in IC 5-24-2-1.

As added by P.L.112-2001, SEC.1.

IC 9-14-3-0.5

"Electronic record" defined

Sec. 0.5. As used in this chapter, "electronic record" has the meaning set forth in IC 26-2-8-102(7).

As added by P.L.112-2001, SEC.2.

IC 9-14-3-0.8

"Electronic signature" defined

Sec. 0.8. As used in this chapter, "electronic signature" has the meaning set forth in IC 26-2-8-102(8).

As added by P.L.112-2001, SEC.3.

IC 9-14-3-1

Public inspection

Sec. 1. All records of the bureau, except:

- (1) those declared by law to be confidential for the use of the bureau; or
- (2) confidential voter registration information received or maintained under IC 3-7-14, IC 9-16-7, or IC 9-24-2.5;

shall be open to public inspection during office hours in accordance with IC 5-14.

As added by P.L.2-1991, SEC.2. Amended by P.L.12-1995, SEC.107.

IC 9-14-3-2

Information requests

Sec. 2. The bureau shall maintain records of all requests for information under sections 5, 6, and 10 of this chapter and of the bureau's disposition of those requests.

As added by P.L.2-1991, SEC.2.

IC 9-14-3-3

Destruction or disposal

Sec. 3. The bureau may destroy or otherwise dispose of under IC 5-15-5.1-14 any records of the bureau that have been maintained on file for two (2) years.

As added by P.L.2-1991, SEC.2. Amended by P.L.121-1995, SEC.1.

IC 9-14-3-4

Copies

Sec. 4. (a) The bureau shall prepare and deliver, upon request and payment of the fees prescribed in IC 9-29-2-1, a certified copy of any

record of the bureau that is not otherwise declared by law to be confidential.

(b) A certified copy of a record obtained under subsection (a) is admissible in a court proceeding as if the copy were the original.

(c) An electronic record of the bureau obtained from the bureau by digital signature that bears an electronic signature is admissible in a court proceeding as if the copy were the original.

As added by P.L.2-1991, SEC.2. Amended by P.L.112-2001, SEC.4.

IC 9-14-3-5

Title, registration, license, and permit information; disclosure; exceptions

Sec. 5. (a) Except as provided in subsection (b), (d), or (e), the bureau shall prepare and deliver information on titles, registrations, and licenses and permits upon the request of any person. All requests must be submitted in writing to the bureau and, unless exempted under IC 9-29, must be accompanied by the payment of the fee prescribed in IC 9-29-2-2.

(b) The bureau shall not disclose:

- (1) the Social Security number;
- (2) the federal identification number;
- (3) the driver's license number;
- (4) the digital image of the driver's license applicant;
- (5) a reproduction of the signature secured under IC 9-24-9-1 or IC 9-24-16-3; or
- (6) medical or disability information;

of any person except as provided in subsection (c).

(c) The bureau may disclose any information listed in subsection (b):

- (1) to a law enforcement officer;
- (2) to an agent or a designee of the department of state revenue;
- (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4), IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
- (4) for voter registration and election purposes required under IC 3-7 or IC 9-24-2.5.

(d) As provided under 42 U.S.C. 1973gg-3(b), the commission may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(e) The commission may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (d)) to sign a voter registration application, except as authorized under IC 3-7-14.

As added by P.L.2-1991, SEC.2. Amended by P.L.12-1995, SEC.108; P.L.225-1999, SEC.1; P.L.34-2003, SEC.1; P.L.261-2003, SEC.9; P.L.14-2004, SEC.185.

IC 9-14-3-6

Compilation of information for specific purposes; recalls; research

and reporting; motor vehicle sales; selective service

Sec. 6. (a) Upon the submission to the bureau of a specific written request from an individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties, as described in IC 9-29-2-3.

(c) An individual or organization making a request under this section must certify one (1) of the following:

(1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications, and that the individual or organization will use the information provided only for that purpose.

(2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.

(3) That the information will be used for the purpose of documenting the sale of motor vehicles in Indiana.

(4) That the information will be used for purposes of the federal Selective Service System.

(5) That the information will be used solely for law enforcement purposes by police officers.

(d) The commission may not compile or release information concerning voter registration under this section.

(e) The bureau shall provide the requested information under this section in a format that is agreeable to the parties, including the following formats:

(1) Printed records.

(2) Microfiche.

(3) Computer disk.

As added by P.L.2-1991, SEC.2. Amended by P.L.12-1995, SEC.109; P.L.122-1995, SEC.1.

IC 9-14-3-7

Operating records; contents and admissibility

Sec. 7. (a) The bureau shall maintain an operating record for each person licensed by the bureau to drive a motor vehicle.

(b) An operating record must contain the following:

(1) A person's convictions for any of the following:

(A) A moving traffic violation.

(B) Operating a vehicle without financial responsibility in violation of IC 9-25.

(2) Any administrative penalty imposed by the bureau.

(3) If the driving privileges of a person have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed by the bureau

and the date of the mailing of the notice.

(4) Any suspensions, revocations, or reinstatements of a person's driving privileges, license, or permit.

(5) Any requirement that the person may operate only a motor vehicle equipped with an certified ignition interlock device.

(c) An entry in the operating record of a defendant stating that notice of suspension or revocation was mailed by the bureau to the defendant constitutes prima facie evidence that the notice was mailed to the defendant's address as shown in the official driving record.

(d) An operating record maintained under this section:

(1) is not admissible as evidence in any action for damages arising out of a motor vehicle accident; and

(2) may not include voter registration information.

As added by P.L.2-1991, SEC.2. Amended by P.L.12-1995, SEC.110; P.L.2-1996, SEC.220; P.L.112-2001, SEC.5; P.L.76-2004, SEC.1.

IC 9-14-3-8

Unlicensed drivers; driving record and license establishment

Sec. 8. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license, as provided in IC 9-24-18-9.

(b) The bureau shall establish a driving license for an unlicensed driver when an abstract of court conviction is received by the bureau, as provided in IC 9-24-18-9.

(c) A driving record under this section may not include voter registration information.

As added by P.L.2-1991, SEC.2. Amended by P.L.1-1993, SEC.52; P.L.12-1995, SEC.111.

IC 9-14-3-9

Confidential records; disclosure

Sec. 9. (a) If the governor, the superintendent of the state police department, or the highest officer located in Indiana of the Federal Bureau of Investigation, the United States Secret Service, or the United States Treasury Department certifies to the bureau that:

(1) an individual named in the certificate is an officer or employee of a state, county, or city department or bureau with police power;

(2) the nature of the individual's work or duties is of a secret or confidential nature; and

(3) in the course of the individual's work the individual uses the motor vehicle described in the certificate;

the bureau shall regard all of the bureau's records concerning the certificate of title or certificate of registration of the motor vehicle and the operating license of the individual described in the certificate as confidential.

(b) The bureau may disclose the records described in subsection

(a) only upon one (1) of the following:

(1) An order of a court of competent jurisdiction made in a cause or matter pending before the court.

(2) The written request of the officer, employee, or a successor of the officer or employee making the certificate.

(3) A request of the governor.

As added by P.L.2-1991, SEC.2.

IC 9-14-3-10

International Registration Plan registrant list; disclosure

Sec. 10. (a) The department of state revenue shall adopt rules under IC 4-22-2 providing for the release of a list of registrants under the International Registration Plan.

(b) The list must be limited to the following:

(1) The name of the registrant.

(2) The complete address of the registrant.

(3) The number of Indiana miles, total miles, and number of each type of vehicle registered by the registrant.

(c) The list described in this section is not confidential.

(d) The department of state revenue may charge a fee for the list as provided in IC 9-29-2-5.

As added by P.L.2-1991, SEC.2. Amended by P.L.61-1996, SEC.13.

IC 9-14-3-11

Violations

Sec. 11. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.2.